

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES—GENERAL**

Case No. 2:11-cv-03423-JHN –PLA

Date: March 28, 2012

Title: Jessie Laiken et al v. Americas Servicing Company et al

Present: The Honorable JACQUELINE H. NGUYEN

Alicia Mamer	Not Reported	N/A
Deputy Clerk	Court Reporter/Recorder	Tape No.

Attorneys Present for Plaintiffs:  
Not Present

Attorneys Present for Defendants:  
Not Present

**Proceedings: ORDER REMANDING MATTER TO LOS ANGELES  
COUNTY SUPERIOR COURT (In Chambers)**

On March 2, 2012, this Court issued an Order to Show Cause as to why this matter should not be remanded to the Los Angeles County Superior Court for lack of jurisdiction. (Docket no. 58.) The Court ordered Defendants BNC Mortgage, Inc. and Wells Fargo Bank, N.A. to submit responses to the OSC no later than March 12, 2012 demonstrating that there is complete diversity. (*Id.* at 1.) That date has long since passed, and Defendants have failed to submit responses.

The Court's construes Defendants' failure to respond as consent to remand of this matter. Therefore, the matter is hereby **REMANDED** to the Los Angeles Superior Court because this Court lacks subject matter jurisdiction. *See Diaz v. Davis (In re Digimarc Corp. Derivative Litig.)*, 549 F.3d 1223, 1234 (9th Cir. 2008) (for a Court to have diversity jurisdiction, there must be "complete diversity between the parties—each defendant must be a citizen of a different state from each plaintiff.").<sup>1</sup>

IT IS SO ORDERED.

\_\_\_\_\_: N/A  
Initials of Preparer AM

<sup>1</sup> Defendants' Motion to Dismiss (docket no. 48) is MOOT.